



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 23, 2008

### **H.R. 3195** **ADA Amendments Act of 2008**

*As ordered reported by the House Committee on Education and Labor on June 18, 2008*

#### **SUMMARY**

H.R. 3195 would make several amendments to the Americans with Disabilities Act (ADA) of 1990 (Public Law 101-336). The bill would amend the definition of disability and clarify the prohibition on discrimination on the basis of disability. Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 3195 would cost about \$25 million over the 2009-2013 period for the Equal Employment Opportunity Commission (EEOC) to handle additional discrimination cases. Enacting H.R. 3195 would not affect direct spending or revenues.

Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any legislative provision that establishes or enforces statutory rights that prohibit discrimination on the basis of disability. CBO has determined that sections 3 through 6 of H.R. 3195 fall within that exclusion; therefore, we have not reviewed them for intergovernmental or private-sector mandates. The remaining provisions of H.R. 3195 contain no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments, or the private sector.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of H.R. 3195 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

	By Fiscal Year, in Millions of Dollars					
	2009	2010	2011	2012	2013	2009-2013
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>						
Estimated Authorization Level	3	5	5	6	6	25
Estimated Outlays	3	5	5	6	6	25

## **BASIS OF ESTIMATE**

CBO estimates that implementing H.R. 3195 would cost about \$25 million over the 2009-2013 period, assuming appropriation of the necessary amounts. For this estimate, CBO assumes that the necessary amounts will be appropriated near the start of each fiscal year and that outlays will follow the historical spending pattern of those activities. The bill would not affect direct spending or revenues.

The EEOC's current caseload for ADA actions is about 20,000 annually. CBO expects that H.R. 3195 would increase this workload by no more than 10 percent in most years, or roughly 2,000 cases annually. Based on EEOC staffing levels necessary to handle the agency's current caseload, we expect that implementing H.R. 3195 would require 50 to 60 additional employees. CBO estimates that the costs to hire those new employees would reach \$5 million by fiscal year 2010, subject to appropriation of the necessary amounts. In 2008, the agency received an appropriation of \$329 million.

The additional cases resulting from H.R. 3195 also could increase the workload of the Department of Justice and the federal judiciary. However, CBO estimates that increased costs for those agencies would not be significant because of the relatively small number of cases likely to be referred to them.

## **ESTIMATED INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

Section 4 of UMRA excludes from the application of that act any legislative provision that establishes or enforces statutory rights that prohibit discrimination on the basis of disability. CBO has determined that sections 3 through 6 of H.R. 3195 fall within that exclusion; therefore, we have not reviewed them for intergovernmental or private-sector mandates. The remaining provisions of H.R. 3195 contain no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments, or the private sector.

## **PREVIOUS CBO ESTIMATE**

On June 23, 2008, CBO transmitted a cost estimate for H.R. 3195 as ordered reported by the House Committee on the Judiciary on June 18, 2008. The two versions of the bill are identical as are the cost estimates.

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